

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOHN DOYLE,

Plaintiff,

v.

MICHAEL ASTRUE, Commissioner of
Social Security,

Defendant.

Case No. C07-5202RBL

ORDER TO SHOW CAUSE

The matter is before the court due to the lack of activity in litigation. The matter was assigned to the undersigned on April 25, 2007, at which time Plaintiff's application to proceed *in forma pauperis* was reviewed and subsequently granted. Plaintiff was instructed to provide to the Clerk summonses to be served with his complaint, and Plaintiff was further advised that it was his responsibility to properly serve copies of the complaint along with appropriate summons as required by Rule 4 of the Federal Rules of Civil Procedure. Since that time no significant pleadings have been filed with the court clerk.

After reviewing the record, it does not appear that the complaint has been properly served. Rule 4(m) of the Federal Rules of Civil Procedure states, "If service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, upon motion or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified time; provided that if the plaintiff shows good cause for the

1 failure, the court shall extend the time for service for an appropriate period.”

2 Accordingly, **by not later than August 31, 2007, plaintiff is directed to file proof that a**
3 **summons and complaint in this matter has been properly served on each of the parties noted above**
4 **or otherwise show cause why this matter should not be dismissed for lack of prosecution.** The clerk
5 is directed to send a copies of this order to Plaintiff at her address of record.

6 DATED this 1st day of August, 2007.

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8 /s/ J. Kelley Arnold

9 J. Kelley Arnold

10 United States Magistrate Judge
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